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March 1, 2023

The Honorable Pete Buttigieg
Secretary
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Secretary Buttigieg:

I write to call your attention to an alarming situation in my district regarding a Norfolk Southern train emitting flames while traveling through a residential neighborhood in Buffalo, New York, and the company's unacceptable response. I request an investigation into this incident for the safety of my constituents, particularly in light of the recent disaster in East Palestine, Ohio, and to call for tougher regulations and increased transparency in the freight rail industry at large.

On February 13, 2023, two individuals saw flames coming from the top of an eastbound Norfolk Southern train car in Buffalo. The incident was also captured on video. When the issue was communicated to the railroad, they issued a one sentence response: "We have no reports of a car on fire."¹ This is completely unacceptable and a blatant dereliction of their responsibility as a freight rail operator. The horrors that unfolded in East Palestine, Ohio, provide a nightmarish illustration of potential consequences of a rail disaster. To think that my community could suffer a similar catastrophe is unimaginable. The Department of Transportation (DOT) must stop at nothing to ensure this never happens again.

The DOT has taken important steps to ensure East Palestine is the last tragedy of its kind, but more must be done and it must be done faster. First, the DOT must open an investigation into the Buffalo train incident. To increase transparency, the DOT must work with the freight rail industry to hold them accountable to responding to employee and bystander accounts of hazards and promoting clear methods to register concerns and complaints. Lastly, the DOT, Congress, and other relevant agencies must work to enact the strictest freight rail safety regulations possible to ensure the health and safety of our communities.

Thank you for your urgent consideration of this most important matter.

Sincerely,



BRIAN HIGGINS
Member of Congress

¹ Sommer, Mark. "Residents say flames were shooting from Norfolk Southern train going through Buffalo," *The Buffalo News*, February 21, 2023, https://buffalonews.com/news/local/residents-say-flames-were-shooting-from-norfolk-southern-train-going-through-buffalo/article_dc21188e-ad96-11ed-b184-2b0d6fab3e1b.html